FRAMEWORK

for a
New
School
Act

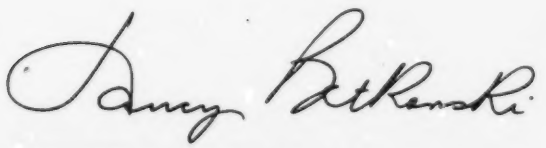
HIGHLIGHTS

The Government of Alberta has introduced a new School Act. The Act sets out the government's plans for laying a firm new foundation for Alberta's school system -- a foundation which will govern our education system both now and as we approach the 21st Century.

A new School Act will be discussed, debated, and passed by the Alberta Legislature. In the meantime, all Albertans are invited to review this important legislation, to discuss it with your MLA, school board officials, teachers, and community members, and to provide your comments and advice to the Government of Alberta.

Alberta
EDUCATION

On behalf of the Government of Alberta, I would like to thank all those Albertans who participated in the review of the School Act. A new School Act could not have been developed without your help. Albertans are fortunate to have an excellent education system and I am confident that, with this important new legislation, a strong foundation will be built to guide the future of education in this province.



Honourable Nancy J. Betkowksi
Minister of Education

FRAMEWORK - A NEW SCHOOL ACT

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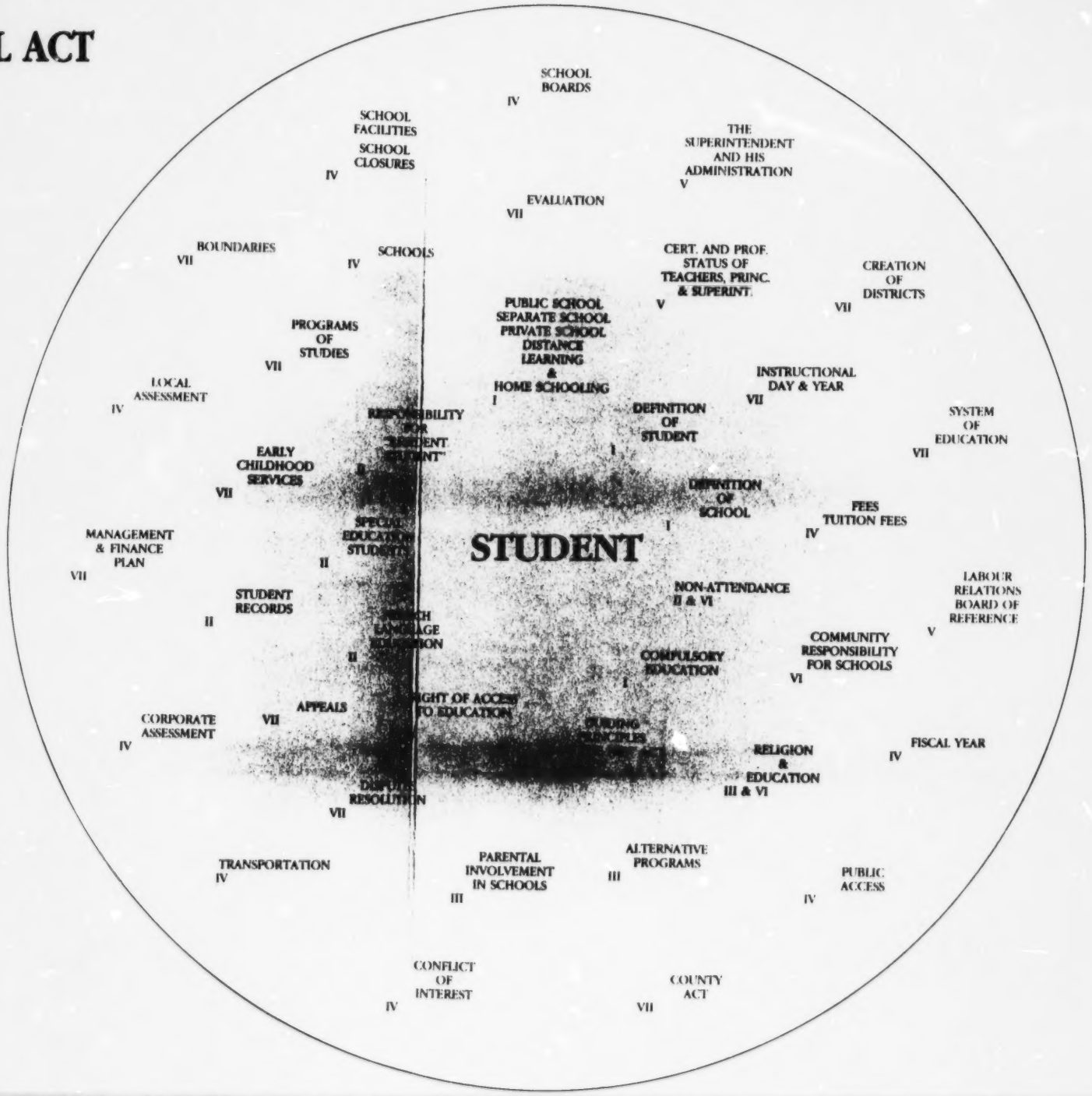

In June 1987, the Government of Alberta introduced Bill 59 , a new School Act. The legislation sets out the government's plans for laying a firm new foundation for Alberta's school system - a foundation which will govern our education system both now and as we approach the 21st Century.

A new School Act will be discussed, debated, and finally passed by the Alberta Legislature. In the meantime, all Albertans are invited to review Bill 59, to discuss it with your MLA, school board officials, teachers and community members, in order that your government may know your views.

The new School Act is a major piece of legislation that will affect parents, teachers, school boards and most importantly, students. But it also will affect all community members because of their support for the education system and because the dynamic future of this province is tied to the education of our young people.

Why is a New School Act Needed?

The current School Act was introduced in 1970. Since the 1970's much has changed in our views, our expectations, and our schools. The current legislation is, quite simply, out of date. The new School Act reflects Alberta today and sets a clear direction for education for the future.

The School Act is the foundation and framework for Alberta's excellent education system. It is similar to the foundation and frame of a house. It lies underground and inside the walls of the house. We don't see it except when the house is being built and we don't think about it much unless we want to remodel the house. But without a strong foundation, the house eventually will collapse.

We can think about the School Act in much the same way. It provides the foundation for everything that happens in education in Alberta. It sets out the roles and responsibilities of the Minister of Education, school boards, teachers, principals, parents and students. It determines how education is organized, supported, and delivered to students. Like the foundation and framework of a house, the walls are set but there's lots of room within the walls to move about, and there are doorways from one room to the next. The School Act is similar. It sets out the responsibilities and the requirements. It provides the framework. But within the framework, there is flexibility for meeting students' needs in different ways. And there are doorways which show how all the partners in education have responsibilities that relate to one another and overlap. Because education is a cooperative venture, no one partner can have exclusive responsibility for a particular aspect of education. Like the rooms of a house, the responsibilities of each partner are linked within the framework.

To provide a firm foundation, the School Act must address all the major features of the education system. The Act governs how education is funded, and how it is managed and administered. It sets out the responsibilities of the partners in education -- who is responsible for what aspects of the education process and how those responsibilities relate to others. The issues cover a wide range, including the building of new schools, establishing school districts, operating private schools, and the rights of students to programs which meet their needs.

Because much has changed in Alberta since the 1970's and because we need to look to the future, it's time to "remodel the house" -- time to build a strong new framework for education in Alberta.

How was the School Act Developed?

Bill 59 is the result of over two years of reviewing the current School Act, new issues that have arisen, changes that have occurred, and future directions that need to be taken. That extensive review process involved three province-wide tours by a policy advisory committee to meet with people in 19 communities. Twenty-nine public forums were held to discuss and debate a wide range of issues, from private schools and home schooling to the role of school boards. Over 150 interested groups were represented at those meetings. In addition to these public discussions, a project team reviewed over 1100 written submissions as well as the results of a Gallup Poll conducted in May 1984.

All of those meetings, discussions and debates were essential in preparing a new School Act which reflects and balances the many diverse views of Albertans on a matter which is vitally important to all of us -- the education of our young people.

What are the Key Features of the School Act?

There are many important new features in the School Act. But there are also some features that will stay the same. That's because we have an excellent education system and the majority of Albertans have told us they're happy with the way school systems are organized and how they operate. So, for example, locally elected school boards will continue to be responsible for the majority of day-to-day decisions about how schools operate. Standards and the content of what students are taught and expected to learn will continue to be set by the provincial government but school boards and individual schools and teachers will have flexibility in responding to local needs.

The most important feature of the School Act is that it **focuses on the student**. While the current Act deals mostly with how schools and school jurisdictions are managed, the new School Act must ensure that all

activities are focused on students because the fundamental purpose of education is to ensure that students learn.

A second important feature of the School Act is that it is based on five **clear principles**:

- **access to quality education** - Every student in Alberta has the right of access to a quality education which is consistent with the student's abilities and provides the necessary knowledge, skills and attitudes to fulfill personal goals and contribute to society as a whole.
- **equity** - Regardless of where in Alberta students live, they should have access to comparable standards of basic education.
- **flexibility** - Within standards and policies set by the provincial government, there should be opportunities for choosing among several alternative kinds of education. Also, school boards, schools and individual teachers must have flexibility in meeting the unique needs of the communities and students they serve.
- **responsiveness** - Because the focus of all activities in education must be on the student, legislation, policies and practices must respond to the needs of students.
- **accountability** - All those involved in making decisions about educational matters and those responsible for public funds spent on education must be accountable for their decisions and choices. This includes the Minister of Education, school boards and their staff, parents, as well as students.

What are the Highlights of the School Act?

With these principles and the focus on students in mind, we must consider several essential issues that are addressed in the new School Act.

Students

The goal of a good education system is to ensure that students learn. This goal is the focus of the School Act. It also recognizes that students must be partners in their education. They have a **right to access a quality education** that meets their needs but they also have a responsibility to participate fully in achieving success in their studies.

Under the School Act, **students between the ages of 6 and 16 must attend school.** But school boards will have some flexibility in dealing with individual students. Early Childhood Services programs will continue to be optional. The right to access a program will extend until students are 19. For students who are 19 and over, many school boards may continue to provide programs, especially for students who want to upgrade their skills in high school subjects. Programs also are available from post-secondary institutions such as universities, colleges, technical institutions and vocational centres.

New ways of addressing problems of truancy are included in the School Act. Instead of having truancy problems dealt with in the courts, five regional panels will handle individual cases of truancy. The panels will look at the causes for the student not attending school, who's responsible (the student or the parents), and the most appropriate way to address the problem. If the student is responsible, the panel will consider alternative ways of having the student return to school or find other ways for the student to continue his or her education. If a parent is responsible for a child not attending school, the parent is neglecting the child's right to access an education. These cases could be referred to a Director under the **Child Welfare Act**.

Parents

Parents are important partners in the education of their children. The School Act recognizes that **parents must be involved in a meaningful way** in important decisions about their children's education. Consequently, school boards must have ways of ensuring that parents can participate in, understand, and contribute to decisions about their children. Procedures must be fair and open and give parents the opportunity to review information, listen to opinions, and offer their views.

In addition, the School Act provides for the establishment of school councils. These councils will provide a way for parents to participate with principals and teachers in providing advice about important school matters and assuming responsibility for certain activities delegated to them by a school board.

Special Education Programs

In Alberta, schools have developed many programs for students who have special education needs. These should not be confused with

programs of choice, that is, programs which are optional for students. Special education programs are essential for these students to achieve success in their studies.

The School Act **requires school boards to provide programs for students with special needs** or arrange for other school boards or agencies to provide appropriate programs. It provides a definition of special education students and special education programs. It also makes it clear that every student is the responsibility of a school board.

Although very few, there are some children with such severe deficiency in intellectual functioning or such severe medical fragility that they cannot be educated in programs offered by schools, even in the many specialized programs that have been developed. These children have needs beyond the capability of non-medically trained school personnel. They are safer and cared for more appropriately by other agencies better able to work with parents to provide the basic training and care these children need. The new School Act provides a way for a team of professionals to consult with parents and decide whether or not the child can benefit from an education program.

In all cases where children are placed in special education programs, parents -- and, where appropriate, the student -- must be consulted before decisions are made.

Separate School Districts

Since Alberta was first formed as a province, members of the minority faith, whether Protestant or Roman Catholic, have had the right to establish and operate separate school districts. This is an important part of Alberta's history and tradition and is maintained in the new School Act.

Some changes in procedures for forming new separate school districts have been incorporated in the new legislation. This will ensure that members of the minority faith are well informed about the consequences and the costs of a separate district before voting on its establishment.

Additionally, the current School Act allows people who are neither Protestant nor Roman Catholic to choose to direct their property taxes to either the public or the separate school board. This assumes that the public school district is Protestant. Yet public school districts are meant to serve all Albertans other than those of the minority faith. This includes Albertans from a wide variety of religious and cultural backgrounds. Since continuing the existing practice may affect the right of members of the

minority faith to establish and to operate their own separate districts, the new Act ensures that only members of the minority faith will be able to direct their taxes, vote, and run for school board elections in separate school districts. Programs which may have developed over time as a consequence of the current provision, will be able to be accommodated as alternative programs.

In any event, parents may still choose to send their children to either a public or a separate school. In many cases, public and separate school districts have agreements for accepting each other's students and paying for them. But a school board may charge a tuition fee for students who are not their resident students.

Language Programs

The new School Act confirms Alberta's tradition of providing students with opportunities to learn other languages in addition to English. It also includes several important new features. Consistent with Section 23 of Canada's Charter of Rights and Freedoms, **French** is included along with English as a language of instruction in Alberta schools. The School Act recognizes the entitlement of those parents who qualify under Section 23 of the Charter of Rights and Freedoms and who wish to have their children educated in French.

In addition to programs where children are taught in English or in French, school boards may continue to provide **immersion programs and second language programs**. School boards can decide to offer these kinds of programs in languages such as French, Cree and other aboriginal languages, Ukrainian, German, and so on. In the School Act, offering these special language programs continues to be an option.

In all cases, students will be required to learn English. Unlike the current School Act, the right of students to be educated in English is guaranteed in the new Act.

Resolving Disputes

In a number of areas in the past, there have been disagreements between parents and school boards. The current School Act doesn't provide an effective way of helping to resolve these disputes.

The new School Act requires school boards to involve parents in important decisions about their children's education. It also requires school boards to have **procedures for parents to appeal decisions**.

Those procedures must be fair and open. These two requirements should assist in communication between parents and school boards and help to prevent many problems and disagreements.

However, if parents continue to disagree with a decision about their child, under the School Act they will be able to appeal to the Minister for help in resolving a disagreement. This enhanced role in mediation will provide more effective ways of helping school boards and parents to come to an agreement about important issues such as placing students in special education programs, providing French language programs, and suspending or expelling students.

Alternative Programs

The Government of Alberta actively supports choices in education. Many of these choices could be provided in the public school system. Therefore, the new legislation provides for alternative programs, in addition to requiring the regular program. Alternative programs might include language programs, programs for students who have special talents in areas such as the arts or physical education or sciences, and other types of programs based on a specific religion or teaching philosophy.

All alternative programs must be approved by the Minister and, if provided, must be available to all students.

Other Programs

For many years Alberta has recognized the existence of private schools in its legislation. Also, Alberta provides some funding to qualifying private schools. While in the past private schools have come under the Department of Education Act, they now will come under the School Act. There will be two kinds of private schools: accredited and registered. All private schools must be registered in order to operate in Alberta. In addition, private schools that meet provincial requirements will be accredited by the provincial government and therefore receive some public funding.

As well, the Act provides an opportunity for students to be educated at home. Some parents, usually parents of younger children, choose to teach their children at home. These types of arrangements already are possible with the approval of the superintendent of the school jurisdiction where the parent lives. The School Act will require that certain conditions be

met so that the child is guaranteed a good standard of education. Superintendents will be responsible for evaluating the arrangements and for reviewing the child's progress.

Financing Education

How school jurisdictions are funded in Alberta is a key issue. Currently, education is funded from three sources: the provincial government's general revenues, local property taxes collected from homeowners, and taxes on business, industrial and commercial property. Business and industry are taxed twice: by school boards and by the provincial government. Recently, there has been some discussion and debate about how education is and should be funded, especially with regard to the dual taxation of business and industry and the degree to which it occurs. There are wide variations in how much money a school district has to spend and how much it needs to tax its property, depending on how much industry it has. Yet, every student in Alberta - regardless of where he or she lives, is guaranteed a right of access to a basic education. Given that equity is a primary principle of the new legislation, some jurisdictions require more help to provide a basic education for students than do others. The need for equity is recognized in the current method of funding education but there may be a more equitable way to provide funding.

For this reason, the legislation does not include any significant changes to the current method of financing education. But, a separate discussion paper on this complex and important issue is being prepared. Before a new School Act is passed, the issue of education funding must be thoroughly discussed and debated.

What Happens Next?

Because it is such an important piece of legislation, we encourage all Albertans to learn about the School Act, to ask questions, to discuss the new directions outlined in the Act, and to **tell us your views** about the new legislation.

If you would like more information about the new School Act please contact:

- your **Member of the Legislative Assembly**,
- staff of Alberta Education at any one of the following locations:

Calgary Regional Office of Education
Room 1200, Rocky Mountain Plaza
615 Macleod Trail, S.E.
Calgary, Alberta
T2G 4T8
Telephone: 297-6353

Edmonton Regional Office of Education
8th Floor, Harley Court
10045 - 111 Street
Edmonton, Alberta
T5K 1K4
Telephone: 427-2952

Grande Prairie Regional Office of Education
5th Floor, Nordic Court
10014 - 99 Street
Grande Prairie, Alberta
T8V 3N4
Telephone: 538-5130

Lethbridge Regional Office of Education
Provincial Building
200 - 5 Avenue, South
Lethbridge, Alberta
T1J 4C7
Telephone: 381-5243

Red Deer Regional Office of Education
3rd Floor, West, Provincial Building
4920 - 51 Street
Red Deer, Alberta
T4N 6K8
Telephone: 340-5262

Legislative Services Branch
10th Floor, West, Devonian Building
11160 Jasper Avenue
Edmonton, Alberta
T5K 0L2
Telephone: 427-2041

Alberta Education Information Line - 427-2285